IN THE HIGH COURT OF JUDICATURE OF
ANDHRA PRADESH
AT HYDERABAD

THE HON'BLE MR. JUSTICE D.S.R.VARMA
AND
THE HON'BLE MR. JUSTICE D.APPA RAO

TAKEN UP WRIT PETITION NO. 5182 OF 2007

Dated : March 26, 2007

Between:

Mir Asghar Ali

Petitioner

AND

The Station House Officer,
Falaknuma Police Station,
Falaknuma, Hyderabad and another.

Respondents

THE HON'BLE MR. JUSTICE D.S.R.VARMA
AND
THE HON'BLE MR. JUSTICE D.APPA RAO

TAKEN UP WRIT PETITION NO. 5182 OF 2007

ORAL ORDER: **(per THE HON'BLE MR. JUSTICE D.APPA RAO)**

Heard the learned Government Pleader for Home, representing the learned Advocate General, appearing for the respondents.

2. This writ petition is taken up based on a Telegram dated 08.03.2007 issued by the petitioner, alleging that his son by name Mir Anwar Ali, was illegally detained by the police, Falaknuma from 04.03.2007 and he was apprehending danger to the life of the alleged detenue.

3. The Inspector of Police, Falaknuma Police Station, filed counter affidavit stating that the alleged detenue is accused No.2 in Crime No. 39 of 2007 registered for the offence under Sec. 379 IPC of their Police Station and, accordingly, the alleged detenue was arrested on 10.3.2007 and was produced before the Chief Metropolitan Magistrate, Nampally on 11.3.2007, who in turn remanded him to judicial custody and, presently, he is lodged in Chenchalguda Central Prison.

4. In view of the fact that the alleged detenue is an accused in Cr. No. 39 of 2007 and after arrest, on production he was remanded to judicial custody, we do not see any merit in the allegations made in the telegram.

5. Consequently, the writ petition deserves to be dismissed and is accordingly dismissed at the stage of

admission. However, there shall be no order as to costs.

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D.S.R.Varma, J.

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D.Appa Rao, J.

March 26, 2007
MAS